

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

v.

ROBERT EARL THOMPSON,

Defendant

2:23-CR-00087-CDS-DJA

Preliminary Order of Forfeiture

This Court finds Robert Earl Thompson pled guilty to Counts One through Five of a Five-Count Superseding Criminal Information charging him in Counts One through Three with robbery of United States property with use of dangerous weapon in violation of 18 U.S.C. § 2114(a) and in Counts Four through Five with felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). Superseding Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds Robert Earl Thompson agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Superseding Criminal Information. Superseding Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Superseding Criminal Information and the offenses to which Robert Earl Thompson pled guilty.

The following property is (1) any firearm or ammunition intended to be used in any crime of violence, 18 U.S.C. § 2114(a); (2) any firearm or ammunition involved in or used in

any knowing violation of 18 U.S.C. § 922(g)(1); and (3) any firearm or ammunition involved in or used in any violation of any other criminal law of the United States, 18 U.S.C. § 2114(a) and is subject to forfeiture under 18 U.S.C. § 924(d)(1), (2)(C), and (3)(A) with 28 U.S.C. § 2461(c) and 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c):

1. a Glock 22 semiautomatic, .40 caliber, bearing serial number KCA596;
2. a SCCY CPX-2 9mm semiautomatic handgun bearing serial number 14D0312;
3. a Ruger LCP2, .380 caliber semiautomatic handgun bearing serial number 380639665; and
4. any and all compatible ammunition

(all of which constitutes property).

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights, ownership rights, and all rights, titles, and interests of Robert Earl Thompson in the aforementioned property are forfeited and are vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the times under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).

1 Notice is served on any individual or entity on the date when it is placed in the mail,
2 delivered to a commercial carrier, or sent by electronic mail under Fed. R. Crim. P.
3 32.2(b)(6)(D) and Supplemental Rule G4(b)(i) and (iv).

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
5 or entity who claims an interest in the forfeited property must file a petition for a hearing to
6 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C.
7 § 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under
8 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the
9 petitioner's right, title, or interest in the property, the time and circumstances of the
10 petitioner's acquisition of the right, title or interest in the property, any additional facts
11 supporting the petitioner's claim, and the relief sought.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
13 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
14 Nevada 89101, within thirty (30) days of the final publication of notice on the official
15 internet government forfeiture site, www.forfeiture.gov, or his receipt of written notice,
16 whichever is earlier.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
18 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
19 Attorney's Office at the following address at the time of filing:

20 Daniel D. Hollingsworth
21 Assistant United States Attorney
22 Misty L. Dante
23 Assistant United States Attorney
24 501 Las Vegas Boulevard South, Suite 1100
25 Las Vegas, Nevada 89101.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
27 described herein need not be published in the event a Declaration of Forfeiture is issued by
28 the appropriate agency following publication of notice of seizure and intent to
administratively forfeit the above-described property.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
2 copies of this Order to all counsel of record.

3 DATED: January 16, 2024

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7 CRISTINA D. SILVA
8 UNITED STATES DISTRICT JUDGE
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